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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/688,530	10/17/2003	Steven Korte	D-1231	2104
28995	7590	04/04/2007		
RALPH E. JOCKE walker & jocke LPA 231 SOUTH BROADWAY MEDINA, OH 44256			EXAMINER TAYLOR, APRIL ALICIA	
			ART UNIT	PAPER NUMBER
			2876	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/04/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/688,530

Applicant(s)

KORTE ET AL.

Examiner

April A. Taylor

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 17 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5, 8, 14, 16-19, 25 and 33 is/are rejected.
- 7) ☒ Claim(s) 6, 7, 9-13, 15, 20-24, 26-32 and 34 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-5, 8, 14, 16-19, 25, and 33 are rejected under 35 U.S.C. 102(b) as being anticipated by Wiedmann (US 4,399,755).

Re claims 1, 17 and 25: Wiedmann shows automatic teller machine (ATM) comprising:

(a) at least one frame member in supporting connection with at least one exterior housing surface of an ATM, wherein the machine includes a cash dispenser and a user interface surface including at least one input device, and wherein the machine is operated through the user interface by a user in a user position; and

(b) at least one panel in supporting connection with the at least one frame member, wherein the at least one panel extends away from the housing and in a direction transverse to the user interface surface. (See figures 1-3; and col. 1, line 60 to col. 2, line 62)

Re claim 2: Wiedmann shows wherein the machine housing includes a pair of horizontally disposed, vertically extending exterior housing surfaces, and wherein (a) comprises placing a generally vertically extending frame member in operative connection with each one of the vertically extending housing surfaces (see figures 1-3).

Re claim 3: Wiedmann discloses wherein (b) comprises placing a panel in operative connection with each one of the frame members in the pair, wherein each panel extends away from the housing and in a direction transverse to the user interface surface (see figures 1-3).

Re claim 4: Wiedmann shows wherein a first panel is in supporting connection with the first one of the vertically extending frame members in the pair and extends in a first plane, and wherein a second panel is operatively connected to a second one of the vertically extending frame members in the pair and extends in a second plane generally transverse to the first plane (see figures 1-3).

Re claim 5: Wiedmann shows wherein the housing includes a generally horizontally extending top housing surface, and further comprising:

(c) placing a top brace member above the top surface and in supporting connection with both of the vertically extending frame members (see figures 1-3).

Re claim 8: Wiedmann shows wherein the machine includes a generally horizontally extending bottom housing surface, and further comprising:

(d) placing a bottom brace member below the bottom surface and in supporting connection with both of the vertically extending frame members (see figures 1-3).

Re claim 14: Wiedmann shows a generally horizontal extending shelf in supporting connection with the at least one panel (see figures 1-3).

Re claims 16, 19 and 33: Wiedmann shows wherein the machine housing has a height, and wherein in (b) the at least one panel extends substantially the height of the housing (see figures 1 and 3).

Re claim 18: Wiedmann discloses wherein (b) includes two panels in supporting connection with the frame, wherein a first panel extends on a first transverse side of the user position and a second panel extends on a second transverse side of the user position (see figures 1 and 3).

***Allowable Subject Matter***

Claims 6, 7, 9-13, 15, 20-24, 26-32 and 34 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: The prior art of record, taken alone or in combination, fail to teach or fairly suggest, in conjunction with other limitations in the claims, wherein the top frame includes two opposed ear portions extending generally perpendicular to a central portion, and wherein each one of the ear portions extend in operative engagement with one of the frame members; and wherein each frame member includes in cross section a pair of operatively connected leg portions, wherein a first leg portion is placed in supporting connection with the at least one exterior housing surface, and a second leg portion is placed in supporting connection with the at least one panel.

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Couvrette (US 4,911,087); Capraro (US 5,222,445); and Dallman (US 6,000,806).

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to April A. Taylor whose telephone number is (571) 272-2403. The examiner can normally be reached on Monday - Friday from 9:00AM - 5:30PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on (571) 272-2398. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



AAT

April 2, 2007



SEUNG HO LEE  
PRIMARY EXAMINER